

From: [Couch, V. Stuart \(EOIR\)](#)
To: [Madico, Beatriz A. \(EOIR\)](#); [Pettinato, Barry \(EOIR\)](#); [Holmes-Simmons, Theresa H. \(EOIR\)](#); [Harris, Rodger \(EOIR\)](#)
Cc: [Feeley, Catherine \(EOIR\)](#); [Marques, Andressa P. \(EOIR\)](#)
Subject: RE: Fourth Circuit Addenda for Oral Decisions
Date: Tuesday, June 26, 2018 9:31:00 AM
Attachments: [VOLUNTARY DEPARTURE.docx](#)
[DV asylum - statement of law.doc](#)
[42B statement of law 2.doc](#)
[Gang-kinship asylum - statement of law.doc](#)

Atenas,

Attached are the “statements of law” I’ve been using for asylum cases (DV and kinship) and cancellation of removal. Be advised that *Matter of A-R-C-G-* is still cited so that will need to be amended. I’ve also attached a training outline on voluntary departure I have prepared in the past that may be useful. I can also update the shared drive folder with my “go by” decisions -- all of these should have current law, and can be harvested as needed.

Let me know if this is helpful.

Thanks,

VSC

From: Madico, Beatriz A. (EOIR)
Sent: Tuesday, June 26, 2018 8:40 AM
To: Couch, V. Stuart (EOIR) <V.Stuart.Couch@EOIR.USDOJ.GOV>; Pettinato, Barry (EOIR) <Barry.Pettinato@EOIR.USDOJ.GOV>; Holmes-Simmons, Theresa H. (EOIR) <Theresa.Holmes-Simmons@EOIR.USDOJ.GOV>; Harris, Rodger (EOIR) <Rodger.Harris@EOIR.USDOJ.GOV>
Cc: Feeley, Catherine (EOIR) <Catherine.Feeley@EOIR.USDOJ.GOV>; Marques, Andressa P. (EOIR) <Andressa.Marques@EOIR.USDOJ.GOV>
Subject: Fourth Circuit Addenda for Oral Decisions

Good morning Judges,

As you recall from the conference, each circuit was supposed to be provided with statement of law addenda to supplement IJ oral decisions. Unfortunately, we were not one of the lucky circuits to have these addenda made for us. I have been instructed by ACIJ Nadkarni to work with the Arlington and Baltimore Attorney Advisors to put these addenda together (spanning a wide variety of subjects). Below are the subjects we determined to cover based on decisions we work on and samples from the other circuits who had addenda made for them. If you have any suggestions as to other topics, please feel free to let me know.

I will be working on these as soon as I can while still addressing our current work log assignments and will keep you updated as to the status of Arlington and Baltimore’s share of addenda.

It is our understanding from Judge Nadkarni that they want the fourth circuit immigration courts to have a uniform set of addenda that can then be tailored by each judge to suit his or her preferences/needs.

Below are the topics:

Charlotte

- General AOS
- Aggravated Felonies
 - Definition of general AF
 - General crime definitions
 - Some circuits have specific case law in the addenda of specific state statutes

- Controlled Substance Offense
- Voluntary Departure
 - Pre-conclusion
 - Post-conclusion
- DV PSG post-A-B-

Arlington

- General Asylum/WH/CAT
 - Including bars
- Deferral WH/CAT
- General PSG
- Specific PSG
 - Kinship
 - Witnesses to crime/report to police/testify
 - Victims of general gang violence
 - Former military/police
 - Landowners
 - Wealth/Return from US
 - LGBTQ
- General PO
 - Whistleblower

Baltimore

- General 42B
 - Cred/Corrob
 - COR Standard
 - Disqualifying convictions
- General 42A
 - Cred/Corrob
 - COR Standard
 - Aggravated Felony Bar
- Circumstance Specific Approach
- CIMTS
 - Definition of general CIMT
 - General crime definitions (to compare to in Cat/mod)

I have also attached the oral decision presentation from the training.

Best always,

Atenas

B. Atenas Madico

Attorney Advisor

U.S. Department of Justice

Executive Office for Immigration Review

Charlotte Immigration Court

Phone: (b) (6)